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STEPHEN E. BONDURA, ESQ.
DORITY & MANNING, P.A.
P.O. BOX 1449
GREENVILLE, SC 29602-1449

EXAMINER

THOMPSON, KENNETH L

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 04/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,579

Applicant(s)

SCHULLER ET AL.

Examiner

Kenn Thompson

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status1) Responsive to communication(s) filed on 16 September 2002.2a) This action is FINAL. 2b) This action is non-final.3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.**Disposition of Claims**4) Claim(s) 29-56 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.6) Claim(s) 29-43 and 49-54 is/are rejected.7) Claim(s) 44-48, 55 and 56 is/are objected to.8) Claim(s) _____ are subject to restriction and/or election requirement.**Application Papers**9) The specification is objected to by the Examiner.10) The drawing(s) filed on 13 February 2002 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. §§ 119 and 120**13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).a) All b) Some * c) None of:1. Certified copies of the priority documents have been received.2. Certified copies of the priority documents have been received in Application No. _____.3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).a) The translation of the foreign language provisional application has been received.15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.**Attachment(s)**1) Notice of References Cited (PTO-892)4) Interview Summary (PTO-413) Paper No(s). _____ .2) Notice of Draftsperson's Patent Drawing Review (PTO-948)5) Notice of Informal Patent Application (PTO-152)3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 .6) Other:

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the counter alignment surface being disposed in a slanted plane other than perpendicular with respect to a rotational axis of the support cap must be shown or the feature canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 29-43 and 49-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Paweletz et al., U.S. 5,555,715.

Regarding claim 29, Paweletz et al. discloses in figures 1-6 an open-end spin rotor for an open-end spinning textile machine. Paweletz et al. discloses a shaft (1) having a free end portion. Paweletz et al. discloses a longitudinally extending projection (4) and a first alignment surface (5) defined in a plane generally transverse to a longitudinal axis of the shaft. Paweletz et al. discloses a support cap (2) fitted onto the projection. Paweletz et al. discloses the support

cap having an end defining an axial bearing surface (2') of the spin rotor and a first counter alignment surface (15) disposed against the first alignment surface (5) of the shaft free end portion. Paweletz et al. discloses by engagement of the first alignment surfaces (5) and first counter alignment surfaces (15) the axial bearing surface (2') is disposed in a defined plane generally transverse to a rotational axis of the shaft.

As to claims 30 and 51, Paweletz et al. discloses a second alignment surfaces (one of the two 5) defined on the shaft free end portion and a second counter alignment surface (one of the two 15) on the support cap disposed against the second alignment surface.

As to claims 31 and 35, Paweletz et al. discloses in figure 1 one of the first and second pairs of alignment and counter alignment surfaces (5,15) are inclined at complementary angles other than perpendicular to the rotational axis of the shaft.

As to claims 32 and 37, Paweletz et al. discloses the support cap is coaxial to the shaft.

As to claims 33, 34 and 52, Paweletz et al. discloses the first and second alignment and counter alignment surfaces (5,15) are disposed in a plane generally perpendicular to the rotational axis of the shaft.

As to claim 36, Paweletz et al. discloses in figure 1 the complementary angles are about 45 degrees with respect to the vertical claim.

As to claim 38, Paweletz et al. discloses the first counter alignment surface is an end annular face of the support cap.

As to claim 39, Paweletz et al. discloses the support cap (2) having a recess (fig 6, open top end 64) defined in an end annular face and the first counter alignment surface (15) being on a bottom surface of the recess.

As to claims 40 and 50, Paweletz et al. discloses the support cap is formed of a ceramic material (col. 2, lines 30-33; a non-metallic material).

As to claim 41, Paweletz et al. discloses the support cap is attached onto the projection with an adhesive material (col. 6, lines 39-45).

As to claim 42, Paweletz et al. discloses the transverse angle of the axial bearing surface (2') is perpendicular to the rotational axis of the shaft.

As to claim 43, Paweletz et al. discloses the axial bearing surface (64') is a crowned surface.

As to claim 49, Paweletz et al. discloses the support cap (2) having an axial bearing surface (top portion of 2) at one end and a recess (15) defined in an opposite end into which the shaft projection (4,5) extends. Paweletz et al. discloses the support cap having a counter alignment surface (2') disposed to contact against an alignment surface (13) of the shaft (1) free end portion in order to align the support cap (2) such that the axial bearing surface (2') is maintained at a desired angle (180 degrees) with respect to a rotational axis of the shaft.

As to claims 53 and 54, Paweletz et al. discloses in figure 6 at least one of the counter alignment surfaces (64') is disposed in a slanted plane other than perpendicular with respect to a rotational axis of the support cap.

Allowable Subject Matter

Claims 44-48, 55 and 56 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not disclose or suggest all the claimed subject matter including an air escape channel defined between the support cap and the projection, the air escape channel defined longitudinally along an area of the projection covered by the support cap.

The prior art does not disclose or suggest an air escape channel defined in a recess in the support cap, the projection fitted into the recess and the air escape channel defined by an axial bore through a bottom surface of the recess.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Noda et al., U.S. 5,930,562 and Stahlecker, U.S. 5,222,353 disclose a similar adhesive connection. Haung, U.S. 5,987,287 and Nguyen et al., U.S. 4,938,731 disclose similar alignment surfaces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenn Thompson whose telephone number is 703 306-5760. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on 703 308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-7687 for regular communications and 703 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-2168.

KT
April 23, 2003



Lynne H. Browne
Supervisory Patent Examiner
Group 3600